

FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

JUN 22 2021

Atlanta DIVISION

JAMES N. HATTEN, Clerk  
By: SB Deputy Clerk

Sonja Floyd Keith  
(Print your full name)

Plaintiff *pro se*,

CIVIL ACTION FILE NO.

v.

1:21-CV-2539

(to be assigned by Clerk)

Dekalb Co. School District

North Mountain Industrial

Stone Mountain, GA 30083

(Print full name of each defendant; an  
employer is usually the defendant)

Defendant(s). Agents

Terrence Harvey  
Deborah Broom Codey

Sherree Henderson, R. Stephen Green  
PRO SE EMPLOYMENT DISCRIMINATION COMPLAINT FORM

Claims and Jurisdiction

1. This employment discrimination lawsuit is brought under (check only those that apply):



Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., for employment discrimination on the basis of race, color, religion, sex, or national origin, or retaliation for exercising rights under this statute.

**NOTE:** To sue under Title VII, you generally must have received a notice of right-to-sue letter from the Equal Employment Opportunity Commission ("EEOC").

\_\_\_\_ Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 et seq., for employment discrimination against persons age 40 and over, or retaliation for exercising rights under this statute.

**NOTE:** To sue under the Age Discrimination in Employment Act, you generally must first file a charge of discrimination with the EEOC.

✓ \_\_\_\_\_ Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., for employment discrimination on the basis of disability, or retaliation for exercising rights under this statute.

**NOTE:** To sue under the Americans With Disabilities Act, you generally must have received a notice of right-to-sue letter from the EEOC.

✓ \_\_\_\_\_ Other (describe) ADAAA Act  
2008  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. This Court has subject matter jurisdiction over this case under the above-listed statutes and under 28 U.S.C. §§ 1331 and 1343.

**Parties**

3. Plaintiff. Print your full name and mailing address below:

Name Sonja Floyd Keith  
Address 1735 Wood Bend  
Stone Mountain, GA 30083

4. Defendant(s). Print below the name and address of each defendant listed on page 1 of this form:

Name Terrence Harvey  
Address 1701 Mountain Ind.  
Stone Mountain, GA 30083

Name Sheree Henderson  
Address 1701 Mountain Ind. Blvd.  
Stone Mountain, GA 30083

Name R. Stephen Green (Former)  
Address 1701 Mountain Ind. Blvd  
Stone Mountain, GA 30083

**Location and Time**

5. If the alleged discriminatory conduct occurred at a location different from the address provided for defendant(s), state where that discrimination occurred:

5333 Salem Rd  
Lithonia, GA 30058

6. When did the alleged discrimination occur? (State date or time period)

8-2018-ongoing

**Administrative Procedures**

7. Did you file a charge of discrimination against defendant(s) with the EEOC or any other federal agency? ☒ Yes ☐ No

If you checked "Yes," attach a copy of the charge to this complaint.

8. Have you received a Notice of Right-to-Sue letter from the EEOC?

☒ Yes ☐ No

If you checked "Yes," attach a copy of that letter to this complaint and state the date on which you received that letter:

9. If you are suing for **age discrimination**, check one of the following:

☐ 60 days or more have elapsed since I filed my charge of age discrimination with the EEOC

☐ Less than 60 days have passed since I filed my charge of age discrimination with the EEOC

10. If you were employed by an agency of the State of Georgia or unsuccessfully sought employment with a State agency, did you file a complaint against defendant(s) with the Georgia Commission on Equal Opportunity?

\_\_\_\_\_ Yes

\_\_\_\_☒\_\_\_\_ No

\_\_\_\_\_ Not applicable, because I was not an employee of, or applicant with, a State agency.

If you checked "Yes," attach a copy of the complaint you filed with the Georgia Commission on Equal Opportunity and describe below what happened with it (i.e., the complaint was dismissed, there was a hearing before a special master, or there was an appeal to Superior Court):

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11. If you were employed by a Federal agency or unsuccessfully sought employment with a Federal agency, did you complete the administrative process established by that agency for persons alleging denial of equal employment opportunity?

\_\_\_\_\_ Yes

\_\_\_\_☒\_\_\_\_ No

\_\_\_\_\_ Not applicable, because I was not an employee of, or applicant with, a Federal agency.

If you checked "Yes," describe below what happened in that administrative process:

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**Nature of the Case**

12. The conduct complained about in this lawsuit involves (check only those that apply):

☐ failure to hire me  
☐ failure to promote me  
☐ demotion  
☐ reduction in my wages  
☒ working under terms and conditions of employment that differed from similarly situated employees  
☒ harassment  
☒ retaliation  
☒ termination of my employment  
☒ failure to accommodate my disability  
☒ other (please specify) Opposition  
Retaliation

13. I believe that I was discriminated against because of (check only those that apply):

☐ my race or color, which is \_\_\_\_\_  
☐ my religion, which is \_\_\_\_\_  
☐ my sex (gender), which is \_\_\_\_\_ male \_\_\_\_\_ female  
☐ my national origin, which is \_\_\_\_\_  
☐ my age (my date of birth is \_\_\_\_\_)  
☒ my disability or perceived disability, which is:  
musculoskeletal Rt Hand and wrist  
☒ my opposition to a practice of my employer that I believe violated the federal anti-discrimination laws or my participation in an EEOC investigation  
☒ other (please specify) Constructive  
Discharge

14. Write below, as clearly as possible, the essential facts of your claim(s). Describe specifically the conduct that you believe was discriminatory or retaliatory and how each defendant was involved. Include any facts which show that the actions you are complaining about were discriminatory or retaliatory. Take time to organize your statements; you may use numbered paragraphs if you find that helpful. Do not make legal arguments or cite cases or statutes.

See attached Charges

(Attach no more than five additional sheets if necessary; type or write legibly only on one side of a page.)



15. Plaintiff

☒ still works for defendant(s)  
☒ no longer works for defendant(s) or was not hired

(contract dispute)

16. If this is a disability-related claim, did defendant(s) deny a request for reasonable accommodation? ☒ Yes ☐ No

If you checked "Yes," please explain:

A request for employment related license/certification assistance with writing (more time) was requested and any other accommodations for a hand and wrist injury.

17. If your case goes to trial, it will be heard by a judge unless you elect a jury trial. Do you request a jury trial? ☒ Yes ☐ No**Request for Relief**

As relief from the allegations of discrimination and/or retaliation stated above, plaintiff prays that the Court grant the following relief (check any that apply):

☒ Defendant(s) be directed to reinstate pay punitive damages, compensatory
☒ Money damages (list amounts) \$900,000
☒ \$300,000 per charge plus \$100,000 per m
☒ Costs and fees involved in litigating this case suffering
☒ Such other relief as may be appropriate Ordered to

1. Comply with GAPSC Certification
2. Refrain from further abuse



EEOC Form 5 (11/09)

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

410-2019-07533

and EEOC

State or local Agency, if any.

Name (Indicate Mr., Ms., Mrs.)

Sonja Floyd-Keith

Home Phone (incl. Area Code)

(678) 598-3296

Date of Birth

1972

Street Address

323 Peeks Landing

City, State and ZIP Code

Conyers, GA 30013

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

DEKALB COUNTY SCHOOL DISTRICT

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(678) 676-1200

Street Address

1701 Mountain Industrial Boulevard

City, State and ZIP Code

Stone Mountain, GA 30083

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☒ RETALIATION ☐ AGE ☒ DISABILITY ☐ GENETIC INFORMATION  
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07-27-2019

07-27-2019

☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

**This charge amends my EEOC Charge N. 410-2019-07533, which was timely filed on July 30, 2019.**

I began employment in August 2016, at Salem Middle School with the Dekalb County School District (DCSD) in Lithonia. I did an excellent job and accomplished all requirements of a middle school teacher. I have two master's degrees and eight years of teaching experience.

In April 2018, I suffered a severe wrist injury at work, which required surgery. I filed a worker's compensation claim.

After filing the claim, I began to suffer discrimination due to my disability in various forms. One form of discrimination was school officials ignoring my repeated requests for assistance in meeting Georgia certification requirements.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Sep 09, 2020

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

EEOC Form 5 (11/09)

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FEPA



EEOC

**410-2019-07533**

and EEOC

State or local Agency, if any

As a result of the disability discrimination, I was terminated by letter that I received from DCSD on July 27, 2019.

DCSD also retaliated against me for filing a complaint with the EEOC. The following are DCSD's retaliation actions:

- Submitted fraudulent reasons for job separation to the Georgia Department of Labor on July 23, 2019.
- Provided agents for the Georgia Department of Labor with a false reason to Deny Unemployment benefits.
- Unlawfully failed to disclose to the Georgia Department of Labor they were under federal investigation with the United States EEOC for a claim of disability discrimination and concealed this fact from the state agency.
- Used the same document to Terminate employee on July 23, 2019, Sonja Floyd Keith through constructive discharge and retaliation.
- Refused to request a second certification waiver to meet teacher licensing requirements.

Moreover, these are a few of DCSD's hostile work environment actions:

- Various coworkers making false accusations
- Supervisors using negative words towards employee
- Not providing a safe work environment for employee
- Allowing different people to direct insults towards employee without fear of reprisal

I believe that I have been discriminated against and terminated due to my disability, subjected to a hostile work environment and retaliated against for participating in a protected activity, in violation of Title I of the Americans with Disabilities Act of 1990, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

**Sep 09, 2020**

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Sonja Floyd-Keith**  
**1735 WoodBend Drive**  
**Stone Mtn, GA 30086**

From: **Atlanta District Office**  
**100 Alabama Street, S.W.**  
**Suite 4R30**  
**Atlanta, GA 30303**

☐

On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

**410-2019-07533**

**Triet Bui,**  
**Investigator**

**(404) 562-6948**

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

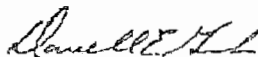
## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



**Darrell E. Graham,**  
**District Director**

**March 26, 2021**

(Date Issued)

Enclosures(s)

cc: **Derek D. Carson, Esq.**  
**Assistant Legal Officer**  
**DEKALB COUNTY SCHOOL DISTRICT**  
**Office of Legal Affairs**  
**1701 Mountain Industrial Blvd.**  
**Stone Mountain, GA 30083**

**Howard R. Evans, Esq.**  
**4488 Shallowford Rd.**  
**Suite 216**  
**Atlanta, GA 30338**